

MINUTES

BE IT REMEMBERED, That on this 2nd day of August, 2011, Commissioners Court of Galveston County, Texas, met at a regular meeting with the following present:

MARK HENRY	COUNTY JUDGE
PATRICK F. DOYLE	COMMISSIONER PRECINCT 1
KEVID D. O'BRIEN	COMMISSIONER PRECINCT 2
STEPHEN D. HOLMES	COMMISSIONER PRECINCT 3
KENNETH D. CLARK	COMMISSIONER PRECINCT 4
DWIGHT D. SULLIVAN By Brandy Chapman, Chief Deputy	COUNTY CLERK

Attendees Present: County Auditor Cliff Billingsley; Attorney for the Court Harvey Bazaman.

CALL TO ORDER

Call to Order by Judge Henry at 1:03 P.M. at the Galveston County Courthouse.

PLEDGE OF ALLEGIANCE

Commissioner Doyle led the Court in the Pledge of Allegiance.

INVOCATION

The Invocation was given by Commissioner Holmes.

CONSENT AGENDA IEMS 1-9

\*1. Submitted by County Auditor's Office:

- a. Approval of Accounts Payable checks dated 8/2/11.
- b. Orders for supplemental payroll period ending 7/20/11 Bi-weekly #15.
- c. District Clerk's Conversion Review as of March 14, 2011.

\*2. Consideration of Resolution *Petitioning the Secretary of State for Galveston County's participation in the Countywide Polling Place Program* in November 2011, pursuant to §43.007 of the Texas Election Code submitted by County Clerk.

\*3. Receive and file Juror Donation Plan – *Selection of Participants*, submitted by Justice Administration.

\*4. Receive and File *Letter of Engagement from Null-Lairson, P.C.*

\*5. Receive and File *Galveston County Emergency Communication District FY 2010 Annual Audit and Report.*

\*6. Receive and File *Galveston County Health District's Compliance Audit for the Jail Health Contract.*

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda item 6.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

\*7. Consideration of *Road and Alley Abandonments – Old Algoa Townsite* submitted by Right of Way.

\*8. Consideration of *Trade Agreement on Ginger Street, L'Hommedieu Survey* submitted by Right of Way.

\*9. Consideration of *Resolution of Congratulations to the Galveston County 4-H State Beef Quiz Bowl Champions* submitted by Commissioner Ken Clark.

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 1-2, 4, 5, 7-9. Agenda item 3 pulled. Agenda item 6 voted separately.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

10. Consideration of request for waiver of refund of Tax Penalty and Interest of the following submitted by Assessor and Collector of Taxes:

a. Account No.: 3204-0000-0607-000 Emerald Galveston Holdings, LLC

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and carried (4-1), it is ordered to approve request by Emerald Galveston Holdings, LLC to waive/refund penalty, interest, and attorney fees for Account No. 3204-0000-0607-000.

Judge Henry	Yes
Commissioner Doyle	No
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

Motion to reconsider by Commissioner Holmes, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to reconsider request by Emerald Galveston Holdings, LLC to waive/refund penalty, interest, and attorney fees for Account No. 3204-0000-0607-000.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

Motion by County Judge Henry, seconded by Commissioner Holmes

Duly put and unanimously carried (5-0), it is ordered to deny request by Emerald Galveston Holdings, LLC to waive/refund penalty, interest, and attorney fees for Account No. 3204-0000-0607-000.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

b. Account No.: 3267-0000-0261-000 Harbour Classic Builders, LLC

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to deny request by Harbour Classic Builders, LLC to refund penalty and interest for Account No. 3267-0000-0261-000.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

c. Account No.: 4939-0000-0225-000 Maravilla Owners Association

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve request by Maravilla Owners Association to waive penalty and interest for Account No. 4939-0000-0225-000.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

11. ~~Discuss and consider approval of a~~ preliminary plan for County Commissioners, Justices of the Peace and the Constables Precinct Boundaries for the purpose of redistricting related to the 2010 Census submitted by County Judge.

No action taken.

12. Consideration of change order no. 1 to the R.W. Lucas Construction, LLC contract for the Galveston County Road Extensions for Various Roads in the Bacliff and San Leon projects submitted by the County Engineer.

Motion by Commissioner O'Brien, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to approve change order no. 1 to the R.W. Lucas Construction, LLC contract for the Galveston County Road Extensions for Various Roads in the Bacliff and San Leon projects.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

13. Consideration of an agreement with Union Pacific Railroad Company to fund modifications to the rail crossing for the Deats Road project submitted by the County Engineer.

Motion by Commissioner Holmes, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve an agreement with Union Pacific Railroad Company to fund modifications to the rail crossing for the Deats Road project.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

14. Consideration of additional services authorization for Jacobs Engineering on the Mid-County Annex submitted by the County Architect.

Motion by Commissioner Holmes, seconded by Commissioner Doyle

Duly put and unanimously carried (5-0), it is ordered to approve additional services authorization for Jacobs Engineering on the Mid-County Annex.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

15. Consideration of authorization for additional services on the design phase of the Senior Center by Jacobs Engineering and the termination of their contract upon completion of that phase submitted by the County Architect.

Motion by County Judge Henry, seconded by Commissioner Clark

Duly put and unanimously carried (5-0), it is ordered to defer item 15.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

16. Consideration of permission to finish Senior Center project in house with Contract Services of Architect, Mike Steffey, submitted by the County Architect.

Motion by County Judge Henry, seconded by Commissioner Clark

Duly put and unanimously carried (5-0), it is ordered to defer item 16.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

17. Consider recommending awarding contracts on the following Bids submitted by the Purchasing Agent.

**a. Bid #B111037      Hughes Road Reconstruction**

Motion by Commissioner Holmes, seconded by Commissioner Doyle

Duly put and unanimously carried (5-0), it is ordered to approve the award of contract for Bid #B111037 for Hughes Road Reconstruction to R. W. Lucas Construction, LLC, as recommended.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

**b. Bid #B111047 City of Bayou Vista, Ling Street Rehabilitation**

Motion by Commissioner O'Brien, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to approve award of contract for Bid #B111047 for City of Bayou Vista, Ling Street Rehabilitation to Mullen Asphalt Paving Company, Inc., as recommended.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

18. Consideration to cancel and authorize the Purchasing Agent to re-bid the following bid submitted by the Purchasing Agent.

**a. Bid #B112024 Sale of Recyclable Products**

Motion by Commissioner O'Brien, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to cancel Bid #B112024 for Sale of Recyclable Products and the Purchasing Agent is authorized to re-bid.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

19. Consider recommending awarding a contract on the following RFP submitted by the Purchasing Agent.

**a. RFP #B112019 Lockbox Services for Galveston County of Galveston**

Motion by County Judge Henry to defer item 19a.

20. Consideration of Budget Amendments submitted by the Budget Officer.

Fiscal Year	Amendment #	Description
2011	11-112-0802-A	<b>Juvenile Justice</b> – Budget request for three exemptions to the hiring freeze – Juvenile Justice Officers – Positions #2561180044, #2561190023 and #2561190034.

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve the Budget Amendment for Juvenile Justice for three Exemptions to the hiring freeze for Juvenile Justice Officers, Positions #2561180044, #2561190023 and #2561190034.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

2011	11-113-0802-B	Unlimited Tax Road Bonds, Series 2009A – Request to budget Change Order No. 1 – R.W. Lucas – transfer funds from Caroline to roads – Precinct #1.
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Motion by Commissioner Holmes, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to approve the Budget Amendment for Unlimited Tax Road Bonds, Series 2009A to budget Change Order No. 1 for R.W. Lucas to transfer funds from Caroline to roads in Precinct #1.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

2011

11-114-0802-C

Constable Precinct #7 – Budget request for an exemption to the hiring freeze – Deputy Constable – Position - #2237000002.

Motion by Commissioner Doyle, seconded by Commissioner O'Brien

Duly put and unanimously carried (5-0), it is ordered to approve the Budget Amendment for Constable Precinct #7 for an exemption to the hiring freeze for Deputy Constable, Position #2237000002.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

21. Consideration of Appointment of a Deputy as submitted by Constable, Precinct Number 7.

Motion by County Judge Henry to defer item 21.

22. Consideration of authorizing the County Judge to execute Memorandum of Understanding with the U.S. Coast Guard regarding augmentation of the Galveston County Emergency Operations Center during emergencies submitted by the Emergency Management Coordinator.

Motion by Commissioner O'Brien, seconded by County Judge Henry

Duly put and unanimously carried (5-0), it is ordered to authorize the County Judge to execute a Memorandum of Understanding with the U.S. Coast Guard regarding augmentation of the Galveston County Emergency Operations Center during emergencies.

Judge Henry	Yes
Commissioner Doyle	Yes
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

23. Consideration of Hurricane Ike items:

- a. Consideration of authorizing execution of Amended Contracts for Sale under the Hazard Mitigation Grant Program submitted by the Emergency Management Coordinator.

Motion by County Judge Henry, seconded by Commissioner O'Brien

Duly put and carried (4-0-1), it is ordered to authorize execution of Amended Contracts for Sale under the Hazard Mitigation Grant Program.

Judge Henry	Yes
Commissioner Doyle	Abstain
Commissioner O'Brien	Yes
Commissioner Holmes	Yes
Commissioner Clark	Yes

- b. Update on Housing Program submitted by Director of Housing.

No action taken.

Commissioners Court adjourned at 2:35 p.m. on Tuesday, August 2, 2011.

**WORKSHOP WILL BEGIN IMMEDIATELY AFTER COMMISSIONERS  
COURT ADJOURNS**

**WORKSHOP AGENDA**

1. Discuss Bond Refinance presented by Louis E. Pauls and associates.

SPEAK

MEETING DATE 8/15/11

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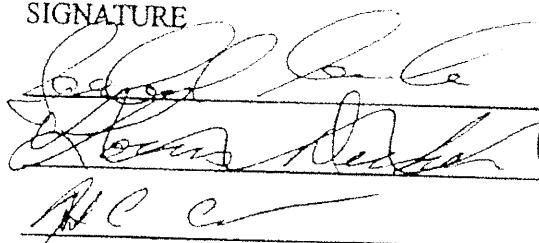
PRINTED NAME

<u>Tom Wotz</u>	<u>Tom WOTZ</u>	✓	✓
<u>Trish Hanks</u>	<u>TRISH HANKS</u>	✓	✓
<u>Bill Provenzano</u>	<u>Bill Provenzano</u>	✓	✓
<u>Diana Bazing</u>	<u>Diana Bazing</u>	✓	✓
<u>Richard Meinack</u>	<u>Richard Meinack</u>	✓	
<u>David Brown</u>	<u>David Brown</u>	✓	✓
<u>Rusty Cates</u>	<u>Rusty Cates</u>	✓	✓
<u>Tommy Frankovich</u>	<u>Tommy Frankovich</u>	✓	✓
<u>Barbara Weeks</u>	<u>Barbara Weeks</u>	✓	✓
<u>Neil Baron</u>	<u>Neil BARON</u>	✓	
	<u>Louis Decker</u>		

Speaking

MEETING DATE 8/16/11

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Gerhard Meinerke

Leon Decker

Rusty Cates

Mike Burkhardt

JP5- Darrell Apffel

Derrick Rose, Constable Pct 3

Don Cherry, Constable Pct 1

Johnny Hollowell

Jimmy Fuller, Constable Pct 4

David Floyd

Louis Deaker

JP4- Mike Nelson

Terry Petteway, Constable Pct 2

Neil Baron

SpeakingMEETING DATE 8/17/11

## SIGNATURE

## PRINTED NAME

<u>CYNTHIA SAYER</u> ✓	
<u>Anne Liles</u> ✓ ✓	
<u>Judge in Vorden</u> ✓ ✓	
<u>PAULA DISERECCE</u> ✓	<u>Margo Johnson</u>
<u>THREE</u> ✓	<u>Jacqueline Cook</u>
<u>Jim Vorden</u> ✓ ✓	
<u>LARRY FLANAGAN</u> ✓ ✓	
<u>Donny Bouse</u> ✓ ✓	
<u>PONALD MAULET</u> ✓ ✓	
<u>CHRIS PIERCE</u> ✓	
<u>GEORGE STRONG</u> ✓	
<u>STAN SCHUBERT</u> ✓	
<u>KAREN SCHUBERT</u> ✓	
<u>CYNTHIA SAYER</u> ✓	
<u>CORI LYKOS</u> ✓	
<u>WICHITA LYKOS</u> ✓	
<u>PAOLA MASSARICCI</u> ✓	
<u>RUB NESS</u> ✓	<u>Deanna</u> ?
<u>CHARLOTTE VISE</u> ✓	<u>EDWIN SMITH</u> ✓
<u>BUD STWOOD</u> ✓	<u>DANON RAPP</u> ✓
<u>BRUCE FAGGARD</u> ✓	<u>WILL PROUDFOOT</u> ✓
<u>VINCENT BOUSE</u> ✓	<u>Brad Vratis</u> ✓
	<u>Constance Comeaux</u> ✓

## Speaking

①

MEETING DATE 8/22/11

## SIGNATURE

## PRINTED NAME

<u>Janis Lavel</u>	<u>Janis howe</u> ✓ ✓
<u>Barbara Meeks</u>	<u>Barbara Meeks</u> ✓ ✓
<u>Sarah Von Drury</u>	<u>SARAH VON DRURY</u> ✓ ✓
<u>Chris Kinard</u>	<u>Chris Kinard</u> ✓ ✓
<u>Malinda Garcia</u>	<u>Malinda Garcia</u> ✓ ✓
<u>Alex Garcia</u>	<u>Alex Garcia</u> ✓ ✓
<u>Barbara White</u>	<u>Barbara White</u> ✓ ✓
<u>Monica Teichert</u>	<u>Monica Teichert</u> ✓ ✓
<u>Kathy Rogers</u>	<u>Kathy Rogers</u> ✓ ✓
<u>Phil Roberts</u>	<u>Phil Roberts</u> ✓ ✓
<u>George Heigl</u>	<u>George Heigl</u> ✓ ✓
<u>Paula Smith</u>	<u>Paula Smith</u> ✓ ✓
<u>Mike Smith</u>	<u>Mike Smith</u> ✓ ✓
<u>Jeanne Kranz</u>	<u>Jeanne Kranz</u> ✓ ✓
<u>Brice Woodcock</u>	<u>Brice Woodcock</u> ✓ ✓
<u>Monica Millican</u>	<u>Monica Millican</u> ✓ ✓
<u>Barbara Meeks</u>	<u>Barbara Meeks</u> ✓ ✓
<u>Todd Kinsey</u>	<u>Todd Kinsey</u> ✓ ✓

(2)

MEETING DATE 8/22/11

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DOREEN HUGHESDOREEN HUGHES ✓Susan MyersSusan Myers ✓ ✓Richard BaticRichard Batic ✓ ✓Darrell A. AppelDARRELL A. APPEL ✓ ✓Shawn BaileyShawn Bailey ✓ ✓Jack CROSSJACK CROSS ✓ ✓K.C. BraylesKenneth C. Brayles ✓ ✓Carlos GonzalezCarlos Gonzalez ✓ ✓MATT DOYLEMATT DOYLE ✓ ✓Chuck E. DoyleChuck E. Doyle ✓ ✓Heidi J. DHeidi J. Hess ✓ ✓Dee Ann HoneyDee Ann Honey ✓ ✓Larry SchumacherLarry Schumacher ✓ ✓Bob SenterBob SENTER ✓ ✓Jenny SenterJENNY SENTER ✓ —GERI BENTLEYGERI BENTLEY ✓ ✓Carole AlexanderCarole Alexander ✓ ✓Carol K. DeanCarol Dean ✓ ✓

(3)

MEETING DATE 8/22/11

## SIGNATURE

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<u>Patricia V. Grady</u>	<u>Patricia V. Grady</u>	✓
<u>Brandi Guillerez</u>	<u>Brandi Guillerez</u>	✓
<u>Roxann Lewis</u>	<u>Roxann Lewis</u>	✓
<u>JOEL J. CALDWELL</u>	<u>JOEL J. CALDWELL</u>	✓
<u>Dave Rieger</u>	<u>Dave Rieger</u>	✓
<u>Rusty Gates</u>	<u>Rusty Gates</u>	✓
<u>Ryan Dennard</u>	<u>Ryan Dennard</u>	✓
<u>Diane V. Merchant</u>	<u>Diane V. Merchant</u>	✓
<u>Geraldine Sam</u>	<u>Geraldine Sam</u>	✓
<u>Lupe Canto</u>	<u>Lupe Canto</u>	✓
<u>STANLEY DROWN</u>	<u>STANLEY DROWN</u>	✓
<u>JAMES HORGOLD</u>	<u>JAMES HORGOLD</u>	✓
<u>Robert Hutchins</u>	<u>Robert Hutchins</u>	✓
<u>DEDRICK JOHNSON</u>	<u>DEDRICK JOHNSON</u>	✓
<u>BECKY LITTLE</u>	<u>BECKY LITTLE</u>	✓
<u>CHRIS STEVENS</u>	<u>CHRIS STEVENS</u>	✓
<u>LEON PHILLIPS</u>	<u>LEON PHILLIPS</u>	✓

①

Speaking

MEETING DATE 8/23/11

SIGNATURE	PRINTED NAME	
<u>Carol Dean</u>	<u>Carol Dean</u>	✓ ✓
<u>Casey Farris</u>	<u>Casey Farris</u>	✓ ✓
<u>Henry Comer</u>	<u>Henry Comer</u>	✓ ✓
<u>Indra Settay</u>	<u>SANDRA TETEY</u>	✓ ✓
<u>Alison Putman</u>	<u>Alison Putman</u>	✓ ✓
<u>Barbara Meeks</u>	<u>Barbara Meeks</u>	✓ ✓
<u>Richard Batie</u>	<u>Richard Batie</u>	✓ ✓
<u>Dale</u>	<u>Karen Lewis</u>	✓ ✓
<u>Mark</u>	<u>Mike Smith</u>	✓ ✓
<u>Frank</u>	<u>Frank</u>	✓ ✓
<u>Portia Smith</u>	<u>Portia Smith</u>	✓ ✓
<u>Autry Sun</u>	<u>Carolyn Sunseri</u>	✓ ✓
<u>Joe Complain</u>	<u>Joe Complain</u>	✓ ✓
<u>Jane Hobgood</u>	<u>Jane Hobgood</u>	✓ ✓
<u>LINDA Burton</u>	<u>Linda Burton</u>	✓ ✓
<u>Ron Daily</u>	<u>Ron Daily</u>	✓ ✓
<u>Lloyd Criss</u>	<u>Lloyd Criss</u>	✓ ✓
<u>Penny L. Pope</u>	<u>Penny L. Pope</u>	✓ ✓

②

MEETING DATE

8/23/11

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<u>Malinda Garcia</u>	<u>Malinda Garcia</u>	✓	✓
<u>Harold Thomas</u>	<u>Harold Thomas</u>	✓	✓
<u>Barbara Roberts</u>	<u>BARBARA ROBERTS</u>	✓	✓
<u>J. D. Roberts</u>	<u>J. D. ROBERTS</u>	✓	✓
<u>Robert Hutchins</u>	<u>Robert Hutchins</u>	✓	✓
<u>Louis Wayne Blank</u>	<u>Louis WAYNE Blank</u>	✓	✓
<u>Don Cherry</u>	<u>Don Cherry</u>	✓	✓
<u>Brenda Gutierrez</u>	<u>Brenda Gutierrez</u>	✓	✓
<u>Ryan Dennard</u>	<u>Ryan Dennard</u>	✓	✓
<u>Rusty Cates</u>	<u>Rusty Cates</u>	✓	✓
<u>Meredith Cates</u>	<u>Meredith Cates</u>	✓	✓
<u>Chris Peden</u>	<u>CHRIS PEDEN</u>	✓	✓
<u>Shawn C. Phillips</u>	<u>Shawn C. Phillips</u>	✓	✓
<u>Andrea P. Sunseri</u>	<u>Andrea P. Sunseri</u>	✓	✓
<u>Mary Helen Stone</u>	<u>Mary Helen Stone</u>	✓	✓
<u>Dee L. Caldwell</u>	<u>Dee L. CALDWELL</u>	✓	✓
<u>Orla S. Fields</u>	<u>ORLA S. FIELDS</u>	✓	✓

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MEETING DATE 8/23/11

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Jean Sargent	JEAN SARGENT	✓	✓
Anna Leigh Sargent	ANNA LEIGH SARGENT	✓	✓
Mary Jean Sargent	MARY JEAN SARGENT	✓	✓
Robert Lasky	Robert L. Lasky	✓	✓
Terry Ritter	Terry RITTER	✓	✓

64

8/23/11

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John James Davis  
Ch. D.  
John  
John J. Phillips

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Rev. James Daniels ✓  
Chris Stevens ✓  
Joseph Joe Saworski, Jr ✓  
John Gay (off) ✓  
Leon Phillips II. ✓